

**SUMMARY REPORT
OF COUNCIL ACTION TAKEN AT THE MARCH 17, 2009, REGULAR MEETING**

This summary is a statement of legal actions taken by the Cottonwood City Council at a regular meeting pursuant to A.R.S. § 38-431.02(D), and is being provided as required by A.R.S. § 38-431.01(D.).

Council Members Present: Mayor Diane Joens, Vice Mayor Karen Pfeifer, Council Members Tim Elinski, Duane Kirby, Linda Norman, and Terence Pratt.

Mayor Joens called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES—Regular Meetings of 2/17/09, and 3/3/09

The Council unanimously approved the minutes as presented.

UNFINISHED BUSINESS

ORDINANCE NUMBER 542—AMENDING THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD BY ADDING A NEW CHAPTER 8.52, REGULATION OF FIREPLACES AND WOOD-BURNING DEVICES, TO TITLE 8, HEALTH AND SAFETY; SECOND & FINAL READING

The Council unanimously approved Ordinance Number 542. This ordinance adds a new chapter to the Municipal Code pertaining to the regulation of wood-burning devices, which include wood stoves and fireplaces. The purpose of these regulations is to reduce emissions of fireplaces, wood stoves, and other solid fuel burning devices so as to reduce the amount of air pollution caused by particulate matter and carbon monoxide. These regulations will apply to all fireplaces, wood stoves and other solid fuel burning devices constructed or installed after the effective date of the ordinance.

Ordinance Number 542 goes into effect April 16, 2009.

ORDINANCE NUMBER 543—AMENDING THE MUNICIPAL CODE, CHAPTER 9.12, OFFENSES AGAINST PUBLIC PEACE, BY DELETING SECTION 9.12.010 NOISE, IN ITS ENTIRETY AND ADDING A NEW SECTION 9.12.010, NOISE REGULATIONS; SECOND & FINAL READING

The Council unanimously approved Ordinance Number 543. This ordinance deletes Section 9.12.010, Noise, in the Municipal Code, and replaces it with a new Section 9.12.010, Noise Regulations. The intent of the new noise regulations are to assist with enforcement for the many different types of noise producing activities which are regularly considered as excessive and a nuisance.

Ordinance Number 542 goes into effect April 16, 2009.

ORDINANCE NUMBER 544—AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY DELETING SECTION 106., DEVELOPMENT REVIEW BOARD, IN ITS ENTIRETY; AND DELETING SECTION 104., PLANNING AND ZONING COMMISSION, IN ITS ENTIRETY AND REPLACING IT

WITH A NEW SECTION 104. PLANNING AND ZONING COMMISSION; AND DELETING SECTION 304., DEVELOPMENT REVIEW, IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 304., DESIGN REVIEW; SECOND & FINAL READING

The Council unanimously approved Ordinance Number 544. This ordinance amends the Cottonwood Zoning Ordinance by deleting Section 106., Development Review Board, in its entirety; deletes Section 104. Planning and Zoning Commission, in its entirety and replaces it with a new Section 104., Planning and Zoning Commission; deletes Section 304., Development Review, in its entirety and replaces it with a new Section 304., Design Review. The purpose of the ordinance is to incorporate the Design Review functions with the Planning and Zoning Commission.

This Ordinance becomes effective April 16, 2009.

ORDINANCE NUMBER 545—AMENDING TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD BY AMENDING CHAPTER 2.56 PLANNING AND ZONING COMMISSION, SECTION 2.56.010 ESTABLISHED-COMPOSITION-MEMBERSHIP; AND SECTION 2.56.020 POWERS AND DUTIES; AND BY DELETING CHAPTER 2.60 DEVELOPMENT REVIEW BOARD, IN ITS ENTIRETY; SECOND & FINAL READING

The Council unanimously approved Ordinance Number 545. This ordinance amends the Municipal Code by deleting the chapter that pertains to the Development Review Board, and incorporates the Design Review functions with the Planning and Zoning Commission.

This Ordinance becomes effective April 16, 2009.

CONSENT AGENDA—The following items are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

APPROVAL OF PAY APPLICATION NUMBER 2 FOR THE RECREATION CENTER PROJECT

The Council unanimously approved pay application number 2 for the recreation center project in the amount of \$535,879.00.

NEW BUSINESS—The following items are for Council discussion, consideration, and possible legal action.

ENTERING INTO A NEW LEASE AGREEMENT WITH VERDE VALLEY AMBULANCE COMPANY FOR THE CITY-OWNED BUILDING LOCATED AT 345 EAST MINGUS AVENUE

The Council unanimously approved entering into a new lease agreement with the Verde Valley Ambulance Company for the city-owned building located at 345 E. Mingus Avenue.

The lease rate under the new lease is \$3,200 per month for a one-year period with two one-year renewal options.

CITY PARTICIPATION IN A REGIONAL WASTE WATER PLAN

The Council directed the Utilities Director, Dan Lueder, to meet with the Executive Director, Ken Sweet, of the Northern Arizona Council of Governments (NACOG) to discuss regionalism and share some of Cottonwood's future needs, goals, and plans and let the Council know if the Council needs to do more after the conversation with NACOG.

PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDING JUNE 30, 2008

The Council unanimously approved accepting the city's Comprehensive Annual Finance Report for fiscal year ending June 30, 2008. This report includes the Independent Accountant's Report, Annual Expenditure Limitation Report, Single Audit Act Reports, and the findings report, which were prepared by the independent auditing firm of Cronstrom, Osuch & Company. This report may be viewed on the city's website under the Finance Department's section.

ENTERING INTO AN AGREEMENT WITH BOND LOGISTIX, LLC, TO PROVIDE ARBITRAGE CONSULTING SERVICES

The Council unanimously approved an agreement with Bond Logistix, LLC, through the City of Scottsdale's arbitration consulting services agreement, to assist the city with arbitration calculations and implement monitoring tools for future computations.

ENTERING INTO A SERVICE AGREEMENT WITH MINGUS UNION HIGH SCHOOL (MUHS) FOR THE COTTONWOOD POLICE DEPARTMENT TO PROVIDE A SCHOOL RESOURCE OFFICER FOR MUHS

The Council unanimously approved entering into an agreement with Mingus Union High School for a school resource officer. Under the agreement the city will provide the officer and the school provides 11 month's reimbursement for the officer's salary and related expenses, which total \$64,645 for a twelve month period.

CANVASS OF PRIMARY ELECTION HELD ON MARCH 10, 2009, & APPROVAL OF RESOLUTION NUMBER 2432, DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION

The Council unanimously accepted the election results provided by the Yavapai County Elections Department, and approved Resolution Number 2432 which declares and adopts the results of the city's primary election. The election results indicate that candidates Tim Elinski, Linda Norman, Karen Pfeifer, and Darold Smith received more than a majority of votes cast and were elected outright in the primary.

RESOLUTION NUMBER 2433—APPOINTING A MEMBER TO THE SENIOR COMMISSION

The Council unanimously approved Resolution Number 2433, which appoints Jake Gonzales a member of the Senior Commission to fill the remainder of a two-year term that expires December 18, 2009.

CLAIMS & ADJUSTMENTS

The Council unanimously approved the claims and adjustments as presented.

ADJOURNMENT

The regular meeting adjourned at 7:58 p.m.